

Panaji, 23rd December, 2010 (Pausa 2, 1932)

SERIES II No. 39

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

*Note:- There is one Extraordinary issue to the Official Gazette, Series II No. 38 dated 16-12-2010 namely: Extraordinary dated 20-12-2010 from pages 949 to 950 regarding Orders and Notifications from Department of Elections. (Goa State Election Commission).*

### GOVERNMENT OF GOA

#### Department of Co-operation

Office of the Asstt. Registrar of Co-operative Societies

#### Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-op. Societies Act, 2001. Shree Adarsh Pani Vantap Vyavastha Sahakari Saunstha Maryadit, Piste wada, Nanoda, Bicholim-Goa has been registered under code symbol No. GEN-(c)-45/NZ/Goa.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 22nd November, 2010.

#### Certificate of Registration

Shree Adarsh Pani Vantap Vyavastha Sahakari Saunstha Maryadit, Piste wada, Nanoda, Bicholim-Goa has been registered on 22-11-2010 and it bears registration code symbol No. GEN-(c)-45/NZ/Goa. It is classified as "Lift Irrigation Society" in terms of Rule 8(1)(11) and sub-classified as "Flow Irrigation Society" under sub-rule 11(b) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 22nd November, 2010.

#### Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-op. Societies Act, 2001. Shree Jathar Rashtroli Pani Vantap Vyavastha Sahakari Saunstha Maryadit, Kumiyomal, Sal, Bicholim-Goa has been registered under code symbol No. GEN-(c)-46/NZ/Goa.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 22nd November, 2010.

#### Certificate of Registration

Shree Jathar Rashtroli Pani Vantap Vyavastha Sahakari Saunstha Maryadit, Kumiyomal, Sal, Bicholim-Goa has been registered on 22-11-2010 and it bears registration code symbol No. GEN-(c)-46/NZ/Goa. It is classified as "Lift Irrigation Society" in terms of Rule 8(1)(11) and sub-classified as "Flow Irrigation Society" under sub-rule 11(b) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 22nd November, 2010.

#### Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-op. Societies Act, 2001. The Gomantak Liberal Multipurpose Co-op. Credit Society Ltd., Mapusa, Bardez-Goa has been registered under code symbol No. RES-(c)-6/NZ/Goa.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 22nd November, 2010.

## Certificate of Registration

The Gomantak Liberal Multipurpose Co-op. Credit Society Ltd., Mapusa, Bardez-Goa has been registered on 22-11-2010 and it bears registration code symbol No. RES-(c)-6/NZ/Goa. It is classified as "Resource Society" in terms of Rule 8(1)(10) and sub-classified as "Service Resource Society" under sub-rule 10(c) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 22nd November, 2010.

## Notification

In exercise of the powers vested in me under Section 8(1) of the Goa Co-op. Societies Act, 2001. Vaishnavi Self Help Group Co-op. Society Ltd., Gauttan, Sankhali-Goa has been registered under code symbol No. GEN-(c)-2/SHG/NZ/Goa.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 29th November, 2010.

## Certificate of Registration

Vaishnavi Self Help Group Co-op. Society Ltd., Gauttan, Sankhali-Goa has been registered on 29-11-2010 and it bears registration code symbol No. GEN-(c)-2/SHG/NZ/Goa. It is classified as "General Society" in terms of Rule 8(1)(12) and sub-classified as "Other Society" under sub-rule 12(c) of Rule 8(1) of the Goa Co-operative Societies Rules, 2003.

V. B. Devidas, Asstt. Registrar of Co-op. Societies (North Zone).

Mapusa, 29th November, 2010.

## Notification

No. ARCS/CZ/Credit/359/ADM/10

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, The Goa Doordarshan Employees Co-operative Credit Society Ltd., Altinho, Panaji-Goa has been registered under code symbol No. ARCS/CZ/Credit/10(a)/137/Goa.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (Central Zone).

Panaji, 4th November, 2010.

## Certificate of Registration

The Goa Doordarshan Employees Co-operative Credit Society Ltd., Altinho, Panaji-Goa is registered on 04-11-2010 and it bears registration No. ARCS/CZ/Credit/10(a)/137/Goa and it is classified as "Resource Society" under sub-classification No. 10(a), as "Credit Resource Society," in terms of Rule 8(1), of the Goa Co-operative Societies Rules, 2003 for the State of Goa.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (Central Zone).

Panaji, 4th November, 2010.

## Notification

No. ARCS/CZ/HSG/766/ADM/10

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, the "Kolwalkar Plaza Co-operative Housing Society Ltd.", San Paula, Taleigao-Ilhas-Goa has been registered under code symbol No. ARCS/CZ/HSG/688/7(b)/Goa.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (Central Zone).

Panaji, 9th November, 2010.

## Certificate of Registration

The "Kolwalkar Plaza Co-operative Housing Society Ltd.", San Paula, Taleigao-Ilhas-Goa is registered on 09-11-2010 and it bears registration No. ARCS/CZ/HSG/688/7(b)/Goa and it is classified as "Housing Society", under sub-classification No. 7(b), as "Co-partnership Housing Society," in terms of Rule 8(1), of the Goa Co-operative Societies Rules, 2003.

Sd/- (R. A. Pednekar), Asstt. Registrar of Co-op. Societies (Central Zone).

Panaji, 9th November, 2010.

## Notification

No. ARCS/CZ/HSG/767/ADM/10

In exercise of the powers vested in me under Section 8(1) of the Goa Co-operative Societies Act, 2001, the "Adwalpalkar's Shelter Co-op. Housing Society Ltd.", Caranzalem-Ilhas-Goa has been registered under code symbol No. ARCS/CZ/HSG/689/7(b)/Goa.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (Central Zone).

Panaji, 29th November, 2010.

## Certificate of Registration

The "Adwalpalkar's Shellter Co-op. Housing Society Ltd.", Caranzalem-Ilhas-Goa is registered on 29-11-2010 and it bears registration No. ARCS/CZ/HSG/689/7(b)/Goa and it is classified as "Housing Society", under sub-classification No. 7(b) as "Co-partnership Housing Society," in terms of Rule 8(1), of the Goa Co-operative Societies Rules, 2003.

Sd/- (A. K. N. Desai), Asstt. Registrar of Co-op. Societies (Central Zone).

Panaji, 29th November, 2010.

## Notification

No. 5-1285-2009/ARSZ/HSG

In exercise of the powers vested in me under Section 8 of the Goa Co-operative Societies Act, 2001, "The Micon Coastal Paradise Co-operative Housing Maintenance Society Limited", Benaullim, Salcete-Goa, is registered under code symbol No. HSG-(d)-780/South Goa/2010.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 12th November, 2010.

## Certificate of Registration

"The Micon Coastal Paradise Co-operative Housing Maintenance Society Limited", Benaullim, Salcete-Goa, is registered on 12-11-2010 under registration code symbol No. HSG-(d)-780/South Goa/2010 and it is classified as "Housing Society", under sub-classification No. 7-(d)- "Co-operative Housing Maintenance Society," in terms of Rule 8 of the Goa Co-operative Societies Rules, 2003.

Sd/- (P. M. Naik), Asstt. Registrar of Co-op. Societies (South Zone).

Margao, 12th November, 2010.

## Department of Education, Art &amp; Culture

Directorate of Education  
(School Education)

## Order

No. 1(2)-24/2005/SE/Part-II/248

Read: Order No. 1(2)-24/2005/SE/Part-II/165 dated 28-07-2010.

Ex-post facto approval of the Government is hereby conveyed to appoint Shri Pandurang R. Nadkarni as State Project Director, Sarva Shiksha

Abhiyan, Porvorim (SSA) on contract basis with effect from 23-01-2010 to 22-02-2010 on the same terms and conditions mentioned in the order dated 28-07-2010 at preamble.

This issues with the concurrence of the Finance (Budget) Department vide their U.O. No. 2400 dated 13-10-2010.

By order and in the name of the Governor of Goa.

Dr. *Celsa Pinto*, ex officio Joint Secretary (School Education).

Panaji, 20th December, 2010.

## Directorate of Higher Education

## Order

No. 9/255/2009/HE/3025

Dr. Renji George Amballoor, Vice-Principal, Government College of Arts, Science and Commerce, Quepem, shall hold the charge of the post of Principal of Government College of Commerce in Margao, in a officiating capacity as a temporary measure in addition to his own duties, with immediate effect and until further orders.

He shall be paid a charge allowance as admissible under the Rules, in force.

By order and in the name of the Governor of Goa.

*R. K. Halarnkar*, Under Secretary (Higher Education).

Panaji, 16th December, 2010.

## Addendum

No. 9/162/2006/HE/GPRG/09/3045

Sub: Prohibition of ragging menace to students in Educational Institutions in the State of Goa by virtue of implementation of the recommendation of the Raghavan Committee.

Ref.: (i) Government order No. 9/162/2006/HE//GPRG/09/3625 dated 14-12-2009.

(ii) Addendum No. 9/162/2006/HE/GPRG/09/1391 dated 07-06-2010.

The names of the Dean of Goa Medical College, Bambolim and the Dean of Goa Dental College, Bambolim, shall be added at Sr. Nos. 7 & 8

respectively as members in the Monitoring Cell constituted vide above read order, in addition.

By order and in the name of the Governor of Goa.

*R. K. Halarnkar*, Under Secretary (Higher Education).

Panaji, 17th December, 2010.

Directorate of Technical Education  
Establishment Section

### Order

File No. 17/2/20/2008/DTE/4836

Read Order : 1. 17/2/20/2008/DTE/2631 dated 18-12-2009.  
2. 17/2/20/2008/DTE/441 dated 24-02-2010.

3. 7/41/2006/Adm.I/846 dated 13-04-2010.

Read Circular : 1. 7/41/2006-Adm.I/22 dated 04-01-2010.

2. 7/2/20/2008/DTE/81 dated 11-01-2010.

Whereas vide above referred order dated 18-12-2009, Government had issued directives to disband of common cadre for Group "C" and Group "D" staff in respect of Directorate of Technical Education and all Government Polytechnics and College under its administrative control.

And whereas vide above referred circulars staff of Directorate of Education were directed to exercise option as to whether they desire to continue in the present place or return to their parent department.

And whereas vide order dated 24-02-2010 approval of the Government was conveyed for the constitution of the cadre of Directorate of Technical Education.

And whereas vide order dated 13-03-2010, the names of the staff/officials who had opted to continue in the present place of working were deleted from cadre of Directorate of Education.

Now, therefore the Government is pleased to absorb the following officials/staff in the cadre of the Directorate of Technical Education and their seniority be taken from the date of initial appointment/last promotion (on regular basis).

#### a) Goa College of Engineering

1. Late Shri Pandu P. Gaude, Mali.

Further, the seniority list of the absorbed staff member's/officials alongwith the staff members alongwith the staff of Directorate of Technical Education, Board of Technical Education and the Institutions under the Directorate of Technical Education's cadre shall be prepared on the basis of date of regular appointment/promotion in the respective post of cadre of their respective parent departments.

By order and in the name of the Governor of Goa.

*Vivek B. Kamat*, Director of Technical Education & ex officio Addl. Secretary.

Porvorim, 13th December, 2010.

Directorate of Archives and Archaeology

### Notification

File No. 4/1/e-Governance/2008-09/DAA-1817

Read: Notification No. 10(33)/2010/DoIT/ /e-Services/Part File 2/7311 dated 26-11-2010.

In persuasion of Para 5, of the above Notification issued by Department of Information Technology, Government of Goa, it is hereby informed that the public services which are mentioned below would be delivered to the Citizens through Common Service Centres (CSCs)/Lok Seva Kendras (LSKs) and State Portal (SP), with immediate effect.

It is therefore approved to levy the following service charges for the service to be availed through "e-Services/State Portal, SSDG and e-Forms" project.

| Sr. No. | Name of the service   | Service charges (In Rs.) | Time frame for document Delivery | List of supporting Document         |
|---------|---|--------------------------|----------------------------------|-------------------------------------|
| 1       | 2   | 3                        | 4                                | 5                                   |
| 1.      | Application forms for issue of certified digital prints of the documents like Notarial Deeds/Land Registration Records/ /Inventory/Civil/ /Criminal or T.M.T. Files | 5                        | One week                         | Variable depending on the document. |

| 1  | 2  | 3 | 4        | 5              |
|----|--|---|----------|----------------|
| 2. | Application for issue of digitally processed images on Cd-ROMs to the Scholars                                   | 5 | One week | Variable.      |
| 3. | Application form for issue of certified digital prints of Baptism/Birth/Death/ /Marriage documents prior to 1914 | 5 | One week | Variable.      |
| 4. | Application forms for the registration of Scholars for Research work   | 5 | One week | Vari-<br>able. |

By order and in the name of the Governor of Goa.

*M. L. Dicholkar*, Director of Archives and Archaeology & ex officio Joint Secretary.

Panaji, 13th December, 2010.

Directorate of Art & Culture

#### Order

Ref. No. DAC/Golden-Jubilee/2010-11/4032

Government of Goa is pleased to constitute a Golden Jubilee Celebration Advisory Committee consisting of following members for "Celebration of 50 years of Goa's Liberation" from 19-12-2010 to 19-12-2011.

|     |                            |           |
|-----|----------------------------|-----------|
| 1.  | Shri Digambar Kamat        | Chairman. |
| 2.  | Shri Pratapsing Rane       | Member.   |
| 3.  | Shri Ravi Naik             | Member.   |
| 4.  | Shri Manohar Parrikar      | Member.   |
| 5.  | Shri Churchill Alemao      | Member.   |
| 6.  | Shri Manohar Azgaonkar     | Member.   |
| 7.  | Shri Philip Neri Rodrigues | Member.   |
| 8.  | Shri Jose Philip D'Souza   | Member.   |
| 9.  | Shri Shripad Naik          | Member.   |
| 10. | Shri Francisco Sardinha    | Member.   |
| 11. | Shri Shantaram Naik        | Member.   |
| 12. | Smt. Shashikala Kakodkar   | Member.   |
| 13. | Shri Luis Proto Barbosa    | Member.   |
| 14. | Dr. Wilfred De Souza       | Member.   |
| 15. | Shri Luizinho Faleiro      | Member.   |
| 16. | Shri Laxmikant Parsekar    | Member.   |
| 17. | Shri Deepak Dhavlikar      | Member.   |
| 18. | Adv. Ramakant Khalap       | Member.   |
| 19. | Shri Subhash Shirodkar     | Member.   |
| 20. | Shri Naguesh Karmali       | Member.   |

|     |                               |                   |
|-----|-------------------------------|-------------------|
| 21. | Shri Chandrakant Kendre       | Member.           |
| 22. | Shri Uday Bhembre             | Member.           |
| 23. | Dr. Somanath Komarpant        | Member.           |
| 24. | Shri Gurunath Kelekar         | Member.           |
| 25. | Shri Rohidas Harichandra Naik | Member.           |
| 26. | Shri Auduth Timblo            | Member.           |
| 27. | Shri Cesar Menezes            | Member.           |
| 28. | Shri Shrinivas Dempo          | Member.           |
| 29. | Shri Anil Madgaonkar          | Member.           |
| 30. | Shri Albert Colaco            | Member.           |
| 31. | Adv. Surendra Desai           | Member.           |
| 32. | Shri Ernest Moniz             | Member.           |
| 33. | Shri Shivananand Gaitonde     | Member.           |
| 34. | Shri Lambert Mascarenhas      | Member.           |
| 35. | Shri Urselin Almeida          | Member.           |
| 36. | Chief Secretary               | Member.           |
| 37. | Secretary (Finance/G.A.D.)    | Member.           |
| 38. | Secretary (Art & Culture)     | Member Secretary. |
| 39. | Director, Art & Culture       | Nodal Officer.    |

The committee shall broadly advice in celebrating the Golden Jubilee of Goa's Liberation in co-ordination with Directorate of Art & Culture thereby planning and implementing year long programmes and activities as per the following terms of reference:

- 1) Fix a broad functional parameters & timeframe for the implementation of the programmes and nominate various sub committees and other committees at district and local level, nominate conveners and assign the responsibilities.
- 2) In accordance with the freedom struggle advice in organizing appropriate programmes at national and state level and also if necessary collaborate/support similar programmes if these fall within committee's parameters of work.
- 3) To approve, support and fund programmes on basis of merit as per the format to be prepared by avoiding duplication of ideas/ /themes.
- 4) To advice & approve detail plan for yearlong celebration of Golden Jubilee Celebration.
- 5) To suggest ideas for long term tangible projects in reminiscence of Goa's Freedom Struggle and subsequent liberation.
- 6) To approve the estimates for programmes & sanctions the same.
- 7) To undertake any other activity as deemed fit in relation to the freedom struggle.



- 8) To advice in formulating a detail report of the golden jubilee celebration for public knowledge and to be 'suo moto' presented to the Government of Goa at the conclusion of the centenary year.

The Committee shall remain in force till the conclusion of the Golden Jubilee Celebration.

By order and in the name of the Governor of Goa.

*Prasad Lolayekar*, Director of Art & Culture & ex officio Jt. Secretary.

Panaji, 15th December, 2010.

◆◆◆  
Department of Finance  
(Debt Management) Division

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Notification

No. 2/30/2002-Fin(DMU)

Subject: The Goa Public Premises (Eviction of Unauthorized Occupants) Act and Rules-To appoint Estate Officer for EDC Ltd.

Government is pleased to appoint Shri B. S. Pai, Angel General Manager (Accounts) EDC Ltd., as Estate Officer for EDC Ltd., EDC House, Panaji-Goa in terms of Section 3 of Goa Public Premises (Eviction of Unauthorised Occupants) Act and Rules.

This supersedes all earlier Notifications issued in this regard.

By order and in the name of the Governor of Goa.

*Meena Priolkar*, Under Secretary Fin. (Bud-II) .  
Porvorim, 14th December, 2010.

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Department of Forests

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Notification

No. 4/1/2006/FOR/319

Read: 1. Government Order No. 4-1-2006/FOR dated 22-10-2009.  
2. Government Order No. 4-1-2006/FOR dated 22-04-2010.

Sanction of the Government is hereby conveyed for extension of ad hoc promotion of Shri Cedric D'Souza, Dy. Conservator of Forests for a further period of three months w.e.f. 22-10-2010 or till the post is filled on regular basis, whichever is earlier.

The Goa Public Service Commission has conveyed its concurrence vide letter No. COM/II/11/22(I)/94/2045 dated 01-12-2010.

By order and in the name of the Governor of Goa.

*Maria J. R. Pires*, Under Secretary (Forests).

Porvorim, 16th December, 2010.

◆◆◆  
Department of Home

Home-General Division

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Notification

No. 6/22/2010-HD(G)

Government of Goa has instituted an award in the name of the Chief Minister to deserving persons who have exhibited outstanding Bravery/Gallantry in saving human life or property. The award shall be called Chief Minister's Bravery Award and shall be given on the Goa Liberation Day.

2. The award shall be in the form of a certificate and one time cash reward of Rs. 1 lakh.

3. The award shall be granted only to those persons who display outstanding Gallantry and Bravery saving human life/property.

4. All the proposals for the grant of the certificate shall be first scrutinized by the committee consisting of Chief Secretary as Chairman and the following members:-

- 1) Special Secretary (Home).
- 2) Dy. Inspector General of Police.
- 3) Collector (North).
- 4) Collector (South).

5. The recommendations for the grant of the Award shall be forwarded by Collector North and Collector South alongwith citation giving the details of the event that have taken place and the courage/gallantry displayed while saving human life or property.

6. The recommendations of the committee shall be submitted for Government approval.

By order and in the name of the Governor of Goa.

*V. P. Dangui*, Under Secretary (Home).

Porvorim, 16th December, 2010.

## Department of Labour

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Notification

No. 28/1/2010-LAB

The following award passed by the Industrial Tribunal-cum-Labour Court-I, at Panaji-Goa on 04-11-2010 in reference No. IT/105/07 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*Smt. Upasana Majgaonkar*, Under Secretary (Labour).

Porvorim, 17th December, 2010.

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IN THE INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT-I AT PANAJI

(Before **B. P. Deshpande**, Presiding Officer)

Ref. No. IT/105/07

Workmen rep. by the  
All Goa Gen. Employees Union,  
P. O. No. 90,  
Vasco-da-Gama, Goa. ... Workmen/Party I  
V/s

M/s. Konkan Foods  
Bethora Industrial Estate,  
Ponda, Goa. ... Employer/Party II

Party I/Workmen – None represent (at the time of Award).

Party II/Employer is represented by Adv. P. J. Kamat.

## AWARD

(Passed on this 4th day of November, 2010)

In exercise of the powers conferred under clause D of sub-section (1) of Section 10 of the Industrial Disputes Act, the Government of Goa referred the dispute vide 28/23/2006-Lab/982 dated 15-10-2007, for adjudication of this Tribunal and the Schedule reads as under:

“(1) Whether the action of the management of M/s. Konkan Foods, Bethora Industrial Estate, Ponda, Goa in refusing employment to the following 55 workers, with effect from 21-12-2003, is legal and justified?

1. Mr. Ramesh Gaonkar
2. Mr. Satyawan Gaonkar
3. Mr. Shantaram Gaonkar
4. Mr. Kushali Gawade
5. Mr. Surya Gaonkar
6. Mr. Gurudas Gaonkar
7. Mr. Kalidas Salelkar
8. Mr. Kiran Kolambkar
9. Mr. Gokuldas Gaonkar
10. Mr. Shashikant Gaonkar
11. Mr. Dayanand Naik.
12. Mr. Jananrdan Ghadhi
13. Mr. Dinesh Gaonkar
14. Mr. Savlo Gaonkar
15. Mr. Devidas Fadte
16. Mr. Thakur Kavlekar
17. Mr. Devidas Gaonkar
18. Mr. Vinayak Gawde
19. Mr. Kamalkant Gaonkar
20. Mr. Mangaldas Gaonkar
21. Mr. Shailesh Gawade
22. Mr. Uday Gawade
23. Mr. Prakash Gaonkar
24. Mr. Umesh Gaonkar
25. Mr. Santosh Gaonkar
26. Mr. Dayanand Naik
27. Mr. Mangaldas Gawade
28. Mr. Ulhas Gawade
29. Mr. Inacio Gomes
30. Mr. Shrikant Gaonkar
31. Mr. Suresh Gawade
32. Mr. Rohidas Gaonkar
33. Ms. Shalini Singh
34. Ms. Shashikala Gaonkar
35. Ms. Anusuya Shetkar
36. Ms. Rajani Gaonkar
37. Ms. Milan Starkar
38. Ms. Vilas Gaonkar
39. Ms. Milagrina Dias
40. Ms. Rajeshri Naik
41. Ms. Dipti Thali
42. Ms. Vinanti Gaonkar
43. Ms. Shalini Ghadhi
44. Ms. Rozarina Fernandes
45. Ms. Vithai Gaonkar
46. Ms. Sharmila Gawade
47. Ms. Nisha Gawade
48. Ms. Vishranti Gaonkar
49. Ms. Jayanti Naik
50. Ms. Milan Gaonkar
51. Mr. Subhash Gawade
52. Mr. Kalidas Gawade
53. Mr. Ramesh Gaonkar
54. Mr. Mathew Mascarenhas
55. Mr. Chandrahas Nagekar

(2) If not, to what relief the Workmen is entitled?"

2. Notices were issued to both parties and thereafter Party I filed statement of claim vide Exb. 7. The Party II filed written statement at Exb. 9. Thereafter rejoinder is filed at Exb. 10.

3. In nut shell is case of Party I that the Union is representing the Workmen in the above case and Party II is having a unit for food processing located at Bethora Industrial Estate. All the workers of the said unit are the members of the Union and earlier the Union has signed many settlements with the Employer including the last one dated 24-12-02 on 21-12-03, 55 workers concerned in the present dispute were refused employment though they reported for duty. No termination orders were issued nor legal dues were paid. The wages for the month of December, 2003 were not paid. Some areas arising out of last settlement, bonus for the year 2002-2003 have not been paid. The action of the Employer in refusing employment is illegal. The Union raised dispute before Asstt. Labour Commissioner, Ponda. However, the Employer refused to attend the conciliation proceedings but at the end forwarded one letter dated 26-8-2005 claiming that the workers had resorted for strike. The Asstt. Labour Commissioner submitted failure report. The workers have claimed payment of all arrears due and payable out of settlement dated 24-12-02, bonus for financial year 2002-2003 as well as for the subsequent year till date, wages for the month of December, 2003 and for the subsequent period till date.

4. The Party II in the written statement at Exb. 9 raised objections regarding locus standi of the Union to raise the dispute on behalf of all the workers on the ground that the said workers ceased to be members of the Union w.e.f. 1-1-04 and also on the ground that the workers had resorted to the strike w.e.f. 21-12-2003 without any cause which continued till the factory was attached and sealed by the bankers on account of non-payment of the loan. The said factory is closed and the franchise has allotted contract to some other establishment. Party II further disclosed in detail about its business activities and claimed that from 21-12-2003 the Workmen abruptly stopped production and resorted to sit in/tool down strike which was totally unjustified and illegal. The perishable goods and finished products which were lying in the factory were not allowed to remove causing loss to the Employer to the tune of Rs. 150,000/- Party II was manufacturing bread

and bakery products for Spencers Ltd., but due to the strike there was stoppage of supply and production which resulted very badly for the competitive market and it was difficult to reestablish the good will and the position. Spencers Ltd., has withdrawn their contract and allotted it to someone else. Party II vide its letter dated 24-12-2003 informed the Asstt. Labour Commissioner, Ponda regarding illegal strike resorted by the Workmen and again registered letter was issued on 31-12-2003. The second register letter was sent on 18-1-2004 but no action was taken by the Asstt. Labour Commissioner. In the meantime, as the produce lying in the Unit becomes unconsumable due to perishable nature and there by huge loss was caused to the Employer. That on account of attachment of the factory by the Bankers and the withdrawal of franchise by the Spencers Ltd., the factory was closed and the same is position till today.

5. The rejoinder is filed at Exb. 10 by Party I reiterating the aspects claimed in the claim statement and denying the aspects in the written statements. Issues were framed vide Exb. 12 which reads as under together with my findings against it.

1. Whether the Party I proves      Not proved  
that the Party II has illegally  
refused employment to 55  
Workmen named in the  
reference without termination  
order and payment of legal  
dues?
2. Whether the Party II proves      Not proved  
that the Union has no locus  
standi to raise the dispute?
3. Whether the Party II proves      Not proved  
that the Workmen were on  
illegal strike w.e.f. 21-12-2003?
4. What relief? What order?      As per  
order below.

5. On behalf of the Party I Mr. Nilkant Phadte filed his affidavit at Exb. 13 and produced the copies of settlement, correspondence between the Union and the management as well as the Asstt. Labour Commissioner's Office and the conciliation failure report. The said witness Mr. Nilkant Phadte thereafter remained absent and there was no opportunity for Party II to cross examine the said witness in order to find out the truthfulness in his statement. The record further show that learned counsel appearing for Party I had withdrawn his vakalatnama on the ground that he has no



instruc- tions. Notice was issued to the General Secretary of the Union and said Nilkant Phadte was also orally informed about the date of this matter when he was present on 13-4-2010. Subsequently, notice was issued on 27-8-2010 which was duly received by Party I but no one remained present. Thus, affidavit at Exb. 13 has to be discarded since the witness failed to appear for the purpose of cross examination. In spite of giving opportunities to Party I, no one appeared and proved its case. Therefore, the evidence of Party I was closed. Learned counsel for Party II disclosed that he did not want to lead any evidence and thereafter filing of the written argument of Party II at Exb. 29, the matter was closed for Award.

#### FINDING

6. *Issue Nos. 1 to 4:* In the present matter, the Union has claim that all the Workmen employed with the Party II were the members and therefore duly represented before the Labour Commissioner and also before this Court. Further, the written statement filed by Party II show that all the workers ceased to be members of the Union w.e.f. 1-1-2004 and thus the burden is on Party I to prove that they are having locus standi to represent the Workmen as the records are with them about the membership.

7. Apart from it, it is the case of Party II that the workers resorted illegal strike from 21-12-2003 and it is the contention of the union that the Employer refused the employment to all the workers from that date. The documents produced through Nilkant Phadte though no prove was established in evidence, however, such documents if perused clearly show that the Employer has informed the Labour Commissioner vide letter dated 24-12-2003 that the workers resorted to, illegal strike from 21-12-2003. Similarly, vide letter dated 4-12-2003 the Union has informed the Employer that the workers may resort to any democratic action including strike for the purpose of implementation of the settlement. Subsequent to the letters produced on record show that there was no dispute raised by the Union regarding refusal of employment during the year 2005 and such stand was taken only somewhere in October, 2005 vide letter dated 28-10-2005. Thus, it is clear that the earlier dispute raised before the Asstt. Labour Commissioner was regarding implementation of the settlement and not regarding refusal of employment. The minutes of conciliation proceedings dated 2-2-2006 and the failure report dated 28-2-2006 clearly show that the dispute regarding refusal of employment was raised only

on 30-5-2005. Referring to that dispute regarding implementation of the settlement was under consideration.

8. Since no material is brought on record by Party I to prove issue No. 1 regarding refusal of employment the same is to be answered as negative. The burden to prove such issue is certainly on the Workmen as held in the case of Narang Latex and Dispersions Pvt. Ltd., v/s S.V. Suvarna (Mrs.) and another (1994) vol II CLR page 51. Similarly, Party I Union has failed to prove that the workers working with Party II were all its members and the Union is having locus standi to raise dispute and to represent the Workmen. It is no doubt that Party II also failed to prove issue No. 3 since no evidence was led however once issue No. 1 is answered in negative regarding refusal of employment, nothing remained in the present matter and therefore other issues losses significance hence issue Nos. 1, 2 & 3 is answered as not proved.

Considering the above discussion and the fact that no material has been brought on record, I pass the following order.

#### ORDER

The action of the management of M/s. Konkan Foods, Bethora Industrial Estate, Ponda, Goa in refusing employment to the following 55 workers, with effect from 21-12-2003, is legal and justified.

3. No order as to costs. Inform the Government accordingly.

Sd/-  
(B. P. Deshpande),  
Presiding Officer,  
Industrial Tribunal-  
-cum-Labour Court-I.

#### Department of Personnel

#### Order

No. 15/5/97-PER

Read: (1) Order No. 15/7/2004-PER dated 20-11-2008.

2) Office Order No. 4(a)(72)2008/ /Admn.F.2/3501 dated 26-11-2010.

Shri Shashank V. Thakur, Block Development Officer, who was on deputation in the post of Academic Resource Officer, at the Indian Institute of Advanced Study, Shimla vide Order dated

20-11-2008, read in preamble (1), has reported this Administration on 13-12-2010 (f.n.) on completion of the deputation period of two years, after availing joining time of 12 days.

Consequently, Shri Shashank V. Thakur, is posted as B.D.O., Bardez, with immediate effect, in public interest.

By order and in the name of the Governor of Goa.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 13th December, 2010.

#### Corrigendum

No. 15/5/97-PER

Read: (1) Order No. 15/5/97-PER dated 13-12-2010.

The posting of Shri Shashank V. Thakur, Block Development Officer, shown as "B.D.O., Bardez" in last para of Order read in preamble (1) shall be corrected to read as "B.D.O., Bardez-II."

By order and in the name of the Governor of Goa.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 14th December, 2010.

#### Department of Revenue

#### Order

No. 22/42/2004-RD

Whereas, the Government of Goa, vide Notification No. 22/42/2004-RD dated 29-03-2007, issued under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (Act 1 of 1894) (hereinafter referred to as the "said Act"), and published in the Official Gazette (Extraordinary No. 2), Series II No. 52 dated 30-03-2007, notified that the land specified in the Schedule thereof (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for construction of approaches to bridge at Amona-Virdi across river Kudnem at Village Amona and Virdi in Bicholim Taluka (hereinafter referred to as the "said public purpose");

And whereas, the Government of Goa, considered the report made by the Collector under sub-section (2) of Section 5A of the said Act on being satisfied that the said land is needed for the said public purpose, vide Notification No. 22/42/2004-RD dated 01-07-2009, issued under Section 6 of the said Act, and published in the Official Gazette, Series II No. 15 dated 09-07-2009, declared that the said land is required for the said public purpose.

Now, therefore, in exercise of the powers conferred by Section 7 of the Land Acquisition Act, 1894 (Act 1 of 1894), the Government of Goa hereby directs the Collector, North Goa District, Panaji, to take the order for acquisition of the said land.

By order and in the name of the Governor of Goa.

*Pandharinath N. Naik*, Under Secretary (Rev-I).

Porvorim, 16th December, 2010.

#### Notification

No. 23/57/2008-RD

Whereas by Government Notification No. 23/57/2008-RD dated 30-12-2008 published on pages 997 & 998 of Series II No. 41 of the Official Gazette dated 08-01-2009 and in two newspapers (1) "Gomantak" dated 03-01-2009 and (2) "Times of India" dated 02-01-2009, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land), was needed for the public purpose viz. Land Acquisition for construction of road in the existing available land including retaining wall at Tolleband in V. P. Chinchinim in Velim Constituency.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of Section 5-A the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares, under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) of Section 3 of the said Act, the Deputy

Collector/S.D.O., Salcete-Goa to perform the functions of the Collector, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Deputy Collector/S.D.O., Salcete-Goa till the award is made under Section 11.

## SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Chinchinim

| Survey No./<br>Sub-Div. No. | Names of the persons<br>believed to be interested   | Approx. area<br>in sq. mts. |
|-----------------------------|---|-----------------------------|
| 1                           | 2   | 3                           |
| 57/1                        | O: Oliva Viegas.  | 123                         |
| 57/2                        | O: Joao Viegas.<br>Santos Rosario Viegas.<br>Luciano Rex Viegas.  | 22                          |
| 57/3                        | Albert Cota.<br>Executive Engineer,<br>W.D. VI (R-S), PWD, Fatorda.<br>OR: Inacio Pereira.<br>Constancio Leitao.<br>Santanimo Leitao.<br>Frabncisco Leitao.<br>Salvador Leitao.<br>Anton Leitao.<br>Anaclento Leitao. | 205                         |
| 57/3-A                      | O: Estefania Dias e Pereira.<br>OR: Inacio Pereira.   | 38                          |
| 57/4                        | O: Perpetua S. Viegas.<br>Executive Engineer,<br>W.D. VI (R-S), PWD, Fatorda.   | 46                          |
| 59/1                        | Domingos X. Viegas.<br>Aleluia Viegas.<br>Piedade Viegas.   | 24                          |
| 59/2                        | Maria Viegas.<br>Caetano E. Viegas.<br>Andre S. Viegas.<br>Felix N. Viegas.<br>Eru Vasudevan.<br>Executive Engineer,<br>W.D. VI (R-S), PWD, Fatorda.<br>OR: Diogo Fernandes.<br>Simao Barretto.                       | 10                          |
| 59/4                        | Conceicao E. Viegas.  | 201                         |
| 59/5                        | Cruz Viegas.  | 85                          |
| 59/6                        | Joaquim Constancio Viegas.<br>Rosa Joaquina Monterio.<br>Antonio Joao Domingos<br>Viegas.<br>Joanita Fernandes.<br>Executive Engineer,<br>W.D. VI (R-S), PWD, Fatorda.  | 14                          |

| 1   | 2 | 3          |
|---|---|------------|
| <i>Boundaries :</i>                       |   |            |
| North: Sy. No. 61, 59/1, 57/1, 3, 4.      |   |            |
| South: Sy. No. 59/6, 2, 57/2, 3, 3-A.     |   |            |
| East : Sy. No. 59/3, Road.                |   |            |
| West : Sy. No. 61/4, 5, 6, 59/1, 2, Road. |   |            |
|   |   | Total: 768 |

By order and in the name of the Governor  
of Goa.

*Pandharinath N. Naik*, Under Secretary  
(Revenue).

Porvorim, 10th November, 2010.

## Department of Transport

Directorate of Transport

## Notification

No. 5/25/89-TPT/3983

In exercise of the powers conferred by sub-sections (1) and (2) of Section 68 of the Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Government of Goa is pleased to nominate Shri Avinash Shirodkar, Margao as Member of the Regional Transport Authority for Margao.

By order and in the name of the Governor  
of Goa.

*Venancio Furtado*, Director of Transport &  
ex officio Joint Secretary.

Panaji, 14th December, 2010.

## Department of Water Resources

Office of the Chief Engineer

## Order

No. 3/25-15/90/WR/1072

Government is pleased to order promotion of following Assistant Engineers (Civil)/Assistant Surveyor of Works (Civil) of this Department to the posts of Executive Engineers (Civil)/Surveyor of Works (Civil) on ad hoc basis in the revised pay scale of Rs. 15,600-39,100+6,600) Pay Band+Grade Pay) plus other allowances, with immediate effect,

initially for six months and posted them in the Offices mentioned below against their names:

| Sr. No. | Name & designation                              | Office where presently working       | Posted on promotion on ad hoc basis  |
|---------|---|--------------------------------------|--|
| 1       | 2   | 3                                    | 4  |
| 1.      | Shri Sasi-kumar T., Assistant Surveyor of Works | Circle II, GTIDC, Karaswada, Colvale | Surveyor of Works, Office of the Additional Chief Engineer (Mandovi Basin), WRD, Porvorim. |
| 2.      | Shri M. P. Hudeda-gaddi, Assistant Engineer     | S.D. III, W.D. V, WRD, Kerim         | Executive Engineer, Works Div V, WRD, Sanquelim.   |
| 3.      | Shri K. V. Nagaraj Reddy, Assistant Engineer    | S.D. IV, W.D. II, WRD, Ponda         | Surveyor of Works, Circle I, WRD, Panaji.  |

On promotion of Shri K. V. Nagaraj Reddy, Assistant Engineer, S.D. IV, W.D. II, WRD, Ponda, Shri Ankush Gaonkar, Assistant Surveyor of Works,

W.D. III, Tech. Cell (Hydrology Cell) is transferred to S.D. IV, W.D. II, WRD, Ponda.

The promotion of above Assistant Engineers/ Assistant Surveyor of Works to the posts of Executive Engineers/Surveyor of Works are purely on ad hoc basis and will not bestow any claim for regular appointment and service rendered on ad hoc basis in the grade will not count for the purpose of seniority in the grade and for eligibility for promotion to next higher grade.

Their pay will be fixed as per rules. They may exercise their option if they so desire within one month from the date of issue of this order for fixing their pay.

The pay/scale of pay in respect of above officers shall be protected on their promotion to the posts of Executive Engineers.

T.T.A. will be admissible provided change of residence is actually involved.

By order and in the name of the Governor of Goa.

*S. T. Nadkarni*, Chief Engineer (W.R.) and ex officio Addl. Secretary.

Panaji, 17th December, 2010.